
Public Notice

Applicant:

Geneva City School District

Date:

Published: December 5, 2002

Expires: January 3, 2003

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 2002-01766(0) Section: NY 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

The Geneva City School District, 649 South Exchange Street, Geneva, New York 14456 has applied for a Department of the Army permit to impact 3.6 acres of jurisdictional wetland associated with the expansion of the existing city school facilities. The wetlands are adjacent to intermittent tributaries of Seneca Lake, a navigable water of the United States. The project is located north of and adjacent to the existing Geneva High School campus, east of Carter Road and south of Gambee Road, in the City of Geneva, Ontario County, New York.

The voters of the school district approved a capital construction and improvement project in March 2001, part of which is the construction of new athletic fields and a bus maintenance facility. According to New York State Education Department aid formula, only land contiguous to the school districts project site is eligible for aid. The purpose of the project is to fulfill long term needs of the School District and the community. The majority of the project involving jurisdictional wetlands includes the construction of eight athletic fields.

A total of approximately 6 acres of jurisdictional wetland were delineated on the 60 acre site. The wetlands are mostly a mix of emergent marsh and scrub/shrub habitat types. The wetland delineation was verified by this office on July 23, 2002.

The applicant has proposed to fill 1.3 acres of wetland and temporarily impact 2.2 acres of wetland. The temporarily impacted wetlands will be restored and made part of the mitigation area (see table 2). In addition, approximately 0.1 acre of wetland OBGW-5 will be secondarily impacted by loss of hydrology and isolated as a result of the project. To mitigate for the permanent impact to 1.4 acres of wetland, the applicant proposes to create an additional 3.2 acres of wetland in the vicinity of existing wetlands OBGW-3, OBGW-4, OBGW-8. This will include the construction of approximately 0.8 acres of intermittent open water areas to diversify the habitat. A wetland seed mix is proposed for mitigation areas. In areas to mitigate for scrub/shrub habitat, including the restoration areas, 1.2 acres of individual red-osier dogwood specimens will be planted on 10-foot centers in addition to the seed mix. However, a detailed planting plan has not been submitted. The created wetland areas will also be used for stormwater detention. The applicant has not finalized a plan to maintain the on-site stormwater detention areas. Therefore, future

impacts to the mitigation area due to maintenance activities cannot be assessed at this time. The on-site complex composed of undisturbed, restored and created wetlands and existing upland will also provide outdoor teaching opportunities due to their close proximity and accessibility to the school building.

The placement of fill associated with the installation of a culvert for an access road and a utility line associated with the bus maintenance facility is authorized by the existing Nationwide permits 14 and 12. The utility line is planned to cross wetland OBGW-3 within the footprint of the impacted area (see sheet 4) so no additional wetland impacts are associated with the utility line crossing. The road crossing involves the fill associated with the placement of a culvert in an unnamed tributary with no impacts to wetlands (see sheet 4).

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to David L. Dralle, who can be contacted by calling (315) 255-8090, or by e-mail at: david.l.dralle@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, Auburn Field Office, 7413 County House Road, Auburn, New York 13021-8964, and should be marked to the attention of David L. Dralle, or by e-mail at: david.l.dralle@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the

Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.